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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/771,798	02/04/2004	Terrell B. Jones	043474/258903	3348
826	7590	11/03/2004	EXAMINER	
ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			HERNANDEZ, OLGA	
			ART UNIT	PAPER NUMBER
			2144	

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

05

Office Action Summary	Application No.	Applicant(s)	
	10/771,798	JONES ET AL.	
	Examiner	Art Unit	
	Olga Hernandez	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-15, 18-22, 25-26, 29, 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bellesfield et al (6,498,982).

As per claims 1, 7-9, 14 and 22, Bellesfield teaches:

- receiving an information request based on a flexible set of user-defined travel related criteria from a client (figures 1, 2, 9, 10 and 11);
- processing the information request to initiate at least one inquiry based on the information request and collecting a plurality of responses from an information server, which gathers information from at least one remote server, to determine a solution set to the information request (figure 2);
- rendering the solution set unto an electronic map overlay for transmission to the client (figures 2 and 10).

Bellesfield does not teach the solution set includes at least one of at least one airport, at least one airfare and at least one distance between at least one pair of airports. However, it would have been obvious to one skill in the art to include at least one airport in Bellesfield's invention in order to get a travel plan and using it as a destination and/or point of interest.

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As per claims 2 and 10, Bellesfield teaches at least one server and a computer system (column 5, lines 5-9).

As per claims 3 and 11, Bellesfield teaches a human being on the client and pre-selected at least in part by topic by client (abstract).

As per claim 4, Bellesfield teaches a plurality of inquiries for querying a plurality of data tables (figures 3, 5 and 7).

As per claims 6 and 12, Bellesfield teaches the solution set to the user that posed the information request (figures 10 and 11).

As per claims 5 and 13, Bellesfield teaches at least one provider (abstract).

As per claims 15, 25 and 26, Bellesfield teaches the request including a location of interest and a distance to the location of interest (abstract).

As per claim 18, 20, 29 and 31, Bellesfield teaches accessing a database for a geocode corresponding to a destination of interest (figure 7).

As per claims 19 and 30, Bellesfield teaches the routing component 46 searches for the departure point in the "place name" field of the routing places data in the routing database 30.

As per claim 21, Bellesfield teaches storing the retrieved information in a searchable database (figure 7).

3. Claims 16, 17, 23, 24, 27, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bellesfield et al (6,498,982) in view of DeLorme et al (5,948,040).

As per claims 16, 23 and 27, Bellesfield does not teach how to purchase or specifying a dollar limit. However, DeLorme teaches the user buying tickets (column 14, lines 25-30).

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Therefore, it would have been obvious to one skill in the art to combine the aforementioned inventions in order to construct a travel route that incorporates waypoints selected by the user.

As per claims 17, 24 and 28, Bellesfield does not teach the number of travelers departing. However, DeLorme teaches the user making reservations and buying various tickets. Therefore, it would have been obvious to one skill in the art to combine the aforementioned inventions in order to construct a travel route that incorporates waypoints selected by the user.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olga Hernandez whose telephone number is (703) 305-0918. The examiner can normally be reached on Monday through Thursday from 6:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (703) 308-3873. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Olga Hernandez', with a stylized, cursive script.

Olga Hernandez
Examiner
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